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December 21, 2017

VIA ECF

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The Honorable Nicholas G. Garaufis
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *State Of New York, et al. v. Donald Trump, et al.*, 1:17-cv-05228-NGG-JO;
AND,
Batalla Vidal, et al. v. Baran, et al., No. 1:16-cv-04756-NGG-JO

- (1) **Notice of Appearance by Thomas Silverstein as Counsel for Advocates for Youth, Anti-Defamation League, Lawyers' Committee for Civil Rights and Economic Justice, Mississippi Center for Justice, National Urban League, Public Counsel, Southern Poverty Law Center, and Washington Lawyers' Committee for Civil Rights and Urban Affairs, as *Amici Curiae***
- (2) **Consent Motion by Proposed *Amici* for Leave to Join Forthcoming *Amicus Curiae* Brief of the Lawyers' Committee for Civil Rights Under Law**

Dear Judge Garaufis:

I respectfully submit this letter to enter my appearance on behalf of Advocates for Youth, Anti-Defamation League, Lawyers' Committee for Civil Rights and Economic Justice, National Urban League, Mississippi Center for Justice, Public Counsel, and Washington Lawyers' Committee for Civil Rights and Urban Affairs, as *amici curiae* ("Proposed *Amici*"). Further, Proposed *Amici* seek the Court's leave to join the forthcoming *amicus curiae* brief of the Lawyers' Committee for Civil Rights Under Law ("LCCRUL") to be filed in each of the above-captioned cases on December 22, 2017.¹

Proposed *Amici* have reviewed the LCCRUL's forthcoming amicus brief in full and join in the factual statements and arguments of the LCCRUL's brief in support of the

¹ Pursuant to its order of 12/20/2017, this Court granted the Lawyers' Committee for Civil Rights Under Law's motion for leave to file an amicus brief. In accord with Your Honors' Individual rules, proposed *Amici* file this letter motion seeking to join the LCCRUL's *amicus curiae* brief.

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Plaintiffs in each of the above-captioned cases. Further, the LCCRUL has consented to Proposed *Amici* joining in the filing of its brief as additional *amici curiae*.

Proposed *Amici* are national and regional advocacy and civil rights groups interested in the promotion of civil liberties throughout the country and the elimination of discrimination in all aspects of American life. These groups have a substantial interest in ensuring that DACA recipients and DACA-eligible immigrants are not unlawfully deprived of economic, educational, and other opportunities through rescission of the DACA program.

Individual Statements of Interest by Proposed *Amici*

- i) Proposed *Amicus Curiae* Advocates for Youth is a national reproductive and sexual health/rights organization that centers the needs and voices of young people. The President's decision to end DACA is an attack on immigrant youth and families living in our communities, as well as on our values of fairness, equality, and opportunity. At Advocates for Youth, we center young people, people of color, LGBTQ communities, and children of immigrants—all of who would be disproportionately impacted if DACA was rescinded. We are committed to the health and safety of all young people, and the President should be as well. This shameful decision will not deter us from working to ensure the reproductive and sexual health and rights of all young people are realized regardless of citizenship status. As a nation, we must find the moral clarity to end attacks on immigrants.
- ii) Proposed *Amicus Curiae* Anti-Defamation League (“ADL”) was founded in 1913 “to stop the defamation of the Jewish people, and to secure justice and fair treatment to all.” Today, ADL is one of the world's leading civil rights organizations. As an organization founded by immigrants and sworn to protect the interests of religious and ethnic minorities, ADL believes that when our nation's values are threatened, we are duty-bound to return to the founding principles that propelled this nation of immigrants. As such, ADL has advocated for fair and just immigration policies for more than a century, including a pathway to citizenship for young undocumented immigrants brought to this country as children. As part of its commitment to create an ever-more just and inclusive society, ADL has filed *amicus* briefs in numerous cases challenging policies that undermine the ideal of America as a nation of immigrants. At stake in this case are the lives of 800,000 undocumented immigrants who were brought to the United States as children, their families, communities, and all of us who depend on a future that embraces diversity as a strength.

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- iii) Proposed *Amicus Curiae* The Lawyers' Committee for Civil Rights and Economic Justice ("LCCR") fosters equal opportunity and fights discrimination on behalf of people of color and immigrants. LCCR engages in creative and courageous legal action, education, and advocacy, in collaboration with law firms and community partners. As part of this work, LCCR has long sought to further immigrant justice through impact litigation. Immigrant entrepreneurs also are assisted through LCCR's Economic Justice Project. LCCR thus has a strong interest in ensuring that DACA recipients and DACA-eligible immigrants are not unlawfully deprived of economic, educational, and other opportunities through rescission of the DACA program.
- iv) Proposed *Amicus Curiae* Mississippi Center for Justice, the Deep South Affiliate of the Lawyers Committee for Civil Rights Under Law, is a 501(c)(3) nonprofit public interest law organization founded in 2003 in Jackson, Mississippi and committed to advancing racial and economic justice. Supported and staffed by attorneys and other professionals, the Center develops and pursues strategies to combat discrimination and poverty statewide. One of amicus' original areas of interest involved predatory loan practices directed at migrant poultry workers, and MCJ has remained concerned about the plight of Mississippi's growing immigrant population for the last decade, particularly in the areas of access to healthcare, education, housing and fair lending. MCJ has signed on as Amicus for several cases challenging President Trump's travel ban, and it has the same concerns regarding the termination of DACA.
- v) Proposed *Amicus Curiae* National Urban League is the nation's oldest and largest community-based movement, established in 1910 to empower African Americans to enter the economic and social mainstream. The mission of the Urban League movement is to enable African Americans to secure economic self-reliance, parity, power and civil rights. Today, it has 90 affiliates in 35 states and the District of Columbia providing direct services to more than 2 million people nationwide. The work of the Urban League and its Affiliates includes advocacy, research and social services programs including job training, job placement, homeownership, STEMS education, entrepreneurship and financial literacy. The National Urban League advances the guarantee of civil rights for the underserved in America by actively working to eradicate all barriers to equal participation in all aspects of American society, whether political, economic, social, educational or cultural. This is embodied in one of the organization's key "Empowerment Goals" for 2025: Every American has an equal right and responsibility to fully participate in our democracy and civic processes, and ALL people have a right to justice and fairness. The National Urban League believes that fairness, compassion, and common sense should be used when addressing the problems of

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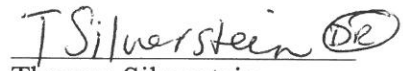
undocumented immigrants in America, 15% of whom are from Africa and the Caribbean.

- vi) Proposed *Amicus Curiae* Public Counsel's Immigrants' Rights Project ("IRP"), founded in 1970, provides *pro bono* legal representation to low-income immigrants whose claims are pending before the Department of Homeland Security, the Executive Office for Immigration Review and the federal courts. IRP attorneys have trained hundreds of attorneys nationwide on legal issues relevant to DACA, and have assisted over 1,000 young people apply for Deferred Action for Child Arrivals ("DACA") and DACA renewals. We helped over 200 DACA recipients file renewal requests prior to the October 5, 2017 deadline established by the current administration. We currently represent hundreds of other immigrants who have family members who are DACA recipients.
- vii) Proposed *Amicus Curiae* Southern Poverty Law Center ("SPLC") has provided *pro bono* civil-rights representation to low-income persons in the Southeast since 1971. SPLC has litigated numerous cases to enforce the civil rights of immigrants and refugees to ensure that they are treated with dignity and fairness. SPLC also monitors and exposes extremists who attack or malign groups of people based on their immutable characteristics. SPLC is dedicated to reducing prejudice and improving intergroup relations. SPLC has a strong interest in opposing discriminatory governmental action that undermines the promise of civil rights for all.
- viii) Proposed *Amicus Curiae* The Washington Lawyers' Committee for Civil Rights and Urban Affairs is a non-profit civil rights organization established to eradicate discrimination and poverty by enforcing civil rights laws through litigation and public policy advocacy. In furtherance of this mission, the Washington Lawyers' Committee represents some of the most vulnerable populations in Washington, D.C., Maryland and Virginia, including immigrants and non-English speakers, who are often discriminated against on the basis of their national origin, and who are often unaware of their legal rights and protections. We are counsel in *CASA de Maryland v. Department of Homeland Security*, C.A. RWT – 17 2942 (D. Md.) (A challenge to the President's rescission of the Deferred Action for Childhood Arrivals program.).

Should the court have any questions or wish to conduct a pre-motion conference, pursuant to Your Honor's Individual Rules, I am available to do so at the Court's convenience.

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Respectfully Submitted,

A handwritten signature in cursive script, reading "T Silverstein" followed by a circled "Dr".

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Law
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CC: All Counsel of Record
(VIA ECF)